

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
BOSTON DIVISION**

99 RESTAURANTS, LLC,

PETITIONER,

v.

**COSTANZA KIRAN, on behalf of herself
and all others similarly situated,**

RESPONDENT.

CIVIL ACTION NO. 1: 13-13048-WGY

PETITIONER'S NOTICE OF APPEAL

Pursuant to Fed.R.App.P. 3 and 9 U.S.C. § 16(a), Petitioner 99 Restaurants, LLC hereby gives notice that it appeals to the United States Court of Appeals for the First Circuit from the District Court's January 13, 2014 Order denying the Petition to Stay Arbitration and to Compel Respondent to Arbitrate Claims on an Individual Basis (Docket No. 12).

Respectfully submitted,

/s/ Michael Mankes

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Dated: January 29, 2014

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of January, 2014, a true copy of the foregoing Notice of Appeal was served via the ECF System upon the attorney of record for Respondent:

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/s/Michael Mankes

Michael Mankes